

**REMARKS**

Claims 1 - 41 are pending in the present application. In the Office Action mailed August 11, 2004, the Examiner rejected claims 1 – 41. Applicants respectfully respond to this Office Action, traverse all rejections, and amend 1, 15, 17, 24, 39, 40, and 41.

***Claim Rejections – 35 USC § 112***

Claims 21 and 22 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Claims 21 and 22 were rejected for lack of antecedent basis. The term “wherein transmission on the first random...for propagation delay,” however, does have proper antecedent basis. “Transmission” here does not require antecedent basis because it is first introduced here as “transmission on the first random access channel.” The “first random access channel” does have antecedent basis in claim 17. Therefore claims 21 and 22 are definite and allowable.

***Claim Rejections – 35 USC § 102***

Claims 1, 4-11, 15, 16, 39 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Heide (US 5,677,909).

All of Applicants’ claims are novel and patentable over Heide. Note that Applicants’ claims have “random access channels.” These random access channels are contention-based as defined in Applicants’ specification as originally filed. For example, please see paragraph [0025]. In contrast Heide discusses a “contention based protocol” and a “non-contention protocol” (please see Heide column 7, line 25-column 8, line 27). Therefore, all of Applicants’ claims are allowable over Heide.

Claims 17-20 and 23-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Dupont (US 5,729,542).

All of Applicants' claims are novel and patentable over Dupont. Note that Applicants' claims have "random access channels." These random access channels are contention-based as defined in Applicants' specification as originally filed. For example, please see paragraph [0025]. In contrast, Dupont discusses an "expedited access period" and a "regular access period" (please see Dupont column 6, lines 56-60). Therefore, all of Applicants' claims are allowable over Dupont.

### *Claim Rejections – 35 USC § 103*

Claim 38 is rejected under 35 U.S.C 103(a) as being unpatentable over Dupont.

Claim 14 is rejected under 35 U.S.C 103(a) as being unpatentable over Heide

Claims 2, 3, and 41 are rejected under 35 U.S.C 103(a) as being unpatentable over Heide in view of Dupont.

Claim 12 is rejected under 35 U.S.C 103(a) as being unpatentable over Heide in view of du Crest et al. (US 2004/0047292).

Claim 13 is rejected under 35 U.S.C 103(a) as being unpatentable over Heide in view of Caldwell (US2002/0122393).

All of Applicants' claims are patentable over Dupont, Heide, Heide in view of Dupont, Heidi in view of du Crest, and Heide in view of Caldwell. As discussed above, neither Heide nor Dupont, in isolation or combined with the above art, have all elements of Applicants' claims. Specifically, they do not have the element of more than one contention-based random access channels.

### *Claim Amendments*


In order to highlight the above distinctions and expedite prosecution, Applicants' amend all independent claims. Specifically Applicants amend claims 1, 15, 17, 24, 39, 40, and 41 to highlight that the random access channels are contention-based. This amendment has ample support in Applicants' specification as originally filed (for example, please see paragraph [0052]).

## REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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